

MOTION

Smoking is known to increase the risk of cancer, stroke and heart disease. Both research and public health efforts through preventive programs, education, and regulations have contributed to widespread awareness of these health impacts caused by using tobacco. Over the past twenty-five years, California has been a leader in tobacco use reduction, as can be seen by the 50 percent reduction in adult smoking.

The introduction of recent tobacco products offered in a variety of flavors that are designed to appeal to children include bubblegum, grape, and chocolate. These products present new public health threats to our youth and young adults. Snuff, hookah, and liquid nicotine solution are just a few of the substances on the market that contain tobacco and tobacco nicotine, but are not subject to the same strict flavor restrictions as traditional cigarettes. These products are sold in a variety of flavors and bright packaging which, complemented by targeted advertisements, appeal to youth and young adults.

The consumption of flavored tobacco products such as cigars, smokeless tobacco, hookah tobacco, and liquid nicotine solution (used in electronic smoking devices) have increased in recent years, while menthol cigarettes continue to corner a large part of the United States cigarette market. According to the FDA, in 2017, more than 2 million high school students were current users of E-cigarettes. There is strong evidence that supports the finding that youth and adult are particularly vulnerable to sweet flavors and menthol, and are largely driving this increased uptake and sustained use of flavored tobacco products.

The research done by the FDA and others supports the finding that flavors and menthol tobacco products are starter products that establish daily habits and increase addiction to tobacco products, make it harder to quit, and increase sales and use of multiple tobacco products.

The City Attorney's Tobacco Enforcement Program (TEP) is responsible for enforcing the Tobacco Retailer's Permit Ordinance. The TEP is responsible for ensuring that the City's more than 4,500 tobacco retailers are properly permitted in accordance with the Ordinance and responsible for ensuring that permitted retailers are complying with local and State laws regulating tobacco sales, particularly the prohibition against sales to persons under 21 years of age.

The City of Los Angeles has been a leader in eliminating the exposure to the general public of harmful tobacco smoking products. In 2014, the City Council approved an ordinance amending Sections 41.50 and 63.44 of the Los Angeles Municipal Code (Council File No. 13-1204-S1) revising the definition of smoking to include electronic smoking devices and revising various provisions regarding the prohibition of smoking in certain places, pursuant to Motion (O'Farrell-Koretz-Parks).

I THEREFORE MOVE that the City Attorney be requested, with the assistance of Chief Legislative Analyst, to report on a proposed strategy to restrict the sale of flavored tobacco products to youth and young adults and to further report on the way and means of how other cities are addressing this issue.

PRESENTED BY: Mitch O'Farrell
MITCH O'FARRELL
Councilmember, 13th District

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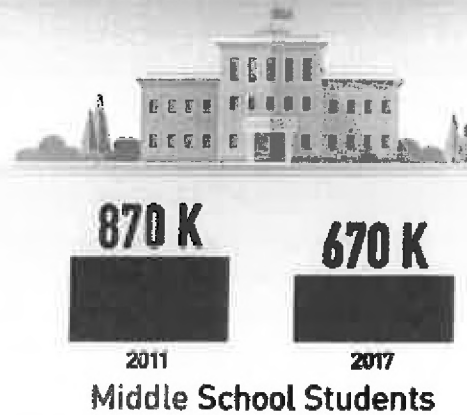
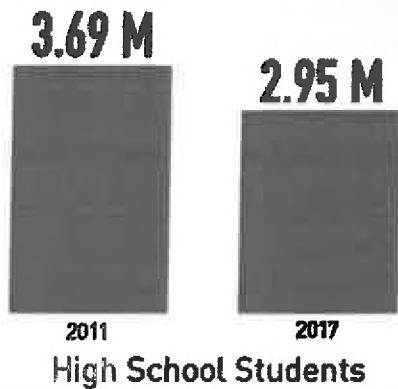
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Youth Tobacco Use in the U.S.

Key Findings From the 2017 National Youth Tobacco Survey



Current Use of Any Tobacco Product Decreased From 2011 to 2017



Current Use of Any Tobacco Product in 2017



1 in 5
high school students
currently used a
tobacco product.

1 in 18
middle school students
currently used a
tobacco product.

Of those students who currently used a tobacco product, many reported using two or more tobacco products.



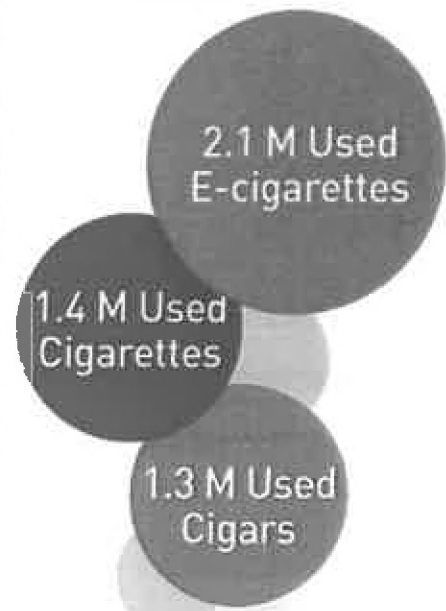
High School Students



Middle School Students

Most Used Tobacco Products in 2017

E-cigarettes continue to be the most commonly used tobacco product among middle and high school students.



Source: Wang TW, Gentzke A, Sharapova S, Callen KA, Ambrose BK, Jamal A. Tobacco product use among middle and high school students—United States, 2011–2017. *MMWR Morb Mortal Wkly Rep.* 2018;67.

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